

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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NANCY BROOKS AND JOAN SILVERMAN,
:
Plaintiffs, : Civil Action
: No. 05-10994-WGY
v. :
: ORAL ARGUMENT REQUESTED
AIG SUNAMERICA LIFE ASSURANCE
COMPANY, :
: Defendant. :
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DEFENDANT AIG SUNAMERICA'S MOTION TO DISMISS

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant AIG SunAmerica Life Assurance Company ("AIG SunAmerica") hereby moves this Court for an Order dismissing all four counts in the Complaint. The grounds for this motion are set forth in AIG SunAmerica's memorandum of law, which is submitted herewith.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), AIG SunAmerica respectfully requests oral argument on this motion.

Dated: July 25, 2005
Boston, Massachusetts

Respectfully submitted,

/s/ James R. Carroll

James R. Carroll (BBO #554426)

Michael S. Hines (BBO #653943)

SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP

One Beacon Street

Boston, Massachusetts 02108

(617) 573-4800

Counsel for Defendant
AIG SunAmerica Life Assurance Company

LOCAL RULE 7.1 CERTIFICATION

I, Michael S. Hines, hereby certify that I conferred with counsel for plaintiffs on July 25, 2005 but could not obtain counsel's agreement to the specific relief sought by this motion.

Dated: July 25, 2005

/s/ Michael S. Hines

Michael S. Hines